

Summary of the Programmatic Environmental Assessment

A programmatic environmental assessment (PEA) is a useful tool to understand the environmental consequences of the broad range of activities proposed under the draft management plan for the Flower Garden Banks National Marine Sanctuary (FGBNMS). The PEA provides the general analyses to inform the decision of approving the FGBNMS draft management plan. It also establishes that as individual actions become ripe for decision, alternatives will be evaluated under the National Environmental Policy Act (NEPA) to meet the broader goals outlined in this draft management plan.

4.1 Description of Proposed Action and Alternatives

Awareness of new issues affecting sanctuary management and the fulfillment of many of the prior plan's objectives necessitated the revision to the management plan. Two alternatives are considered in the PEA: Alternative 1, leaving the current management plan and regulations in place (No Action); and Alternative 2, revising the management plan and regulations to address the changes described above (Proposed Action). A discussion of each of the alternatives follows.

Alternative 1 - No Action

Under the No Action alternative, NOAA would neither update the FGBNMS management plan nor revise the sanctuary regulations. The current situation described below would continue. This alternative would maintain the 1992 management plan despite its outdated format and content, inclusion of completed tasks, and the nominal list of goals and objectives. Management actions described in the existing management plan, including educational and research activities and enforcement actions, would continue.

Alternative 2 – Proposed Action

Under the Proposed Action, NOAA would revise the FGBNMS management plan including updating the sanctuary mission, goals and objectives; removing completed tasks and incorporating new and planned management strategies and activities (Chapter 3); laying out performance measures to better evaluate the effectiveness of sanctuary management; and laying the groundwork for potential future regulatory actions to address high priority issues.

4.2 Summary of Environmental Consequences

Actions taken to manage the sanctuary as proposed in Alternative 2, considered together with the stressors facing sanctuary resources, generally result in a cumulative beneficial impact to these resources, although the impact does not meet the threshold for significance under NEPA.

Alternative 1: No Action

Taking no action would result in no change of the current management regime of the sanctuary. The current management plan would remain in effect and the regulations would remain unchanged. The environmental impact statement regarding the 1991 management plan contains a full analysis of the environmental impacts of that plan. Any future decisions made under the 1991 management regime would be reviewed for their NEPA compliance under either the existing environmental impact statement or under a separate NEPA analysis before a decision would be made.

As compared to Alternative 2, taking no action could result in negative impacts to the natural and human environments since the resource protection activities mentioned in the proposed action would not take place. For instance, rays and whale sharks would not be afforded additional protections from adverse human interactions (RPAP Activity 2.5), and improperly treated discharge would continue to be allowed (RPAP Activity 2.2). Taken alone, these activities do not rise to the level of a significant impact under the NEPA, but support the cumulative benefits of the draft management plan.

Alternative 2: Proposed Action

The proposed action would revise the FGBNMS management plan to reflect the six action plans, which include five substantive changes to the existing regulations. Technical corrections to the regulations would also be proposed.

It is important to note that the revised plan itself does not specifically enable any of the activities listed in the action plans to occur; activities could take place in the sanctuary under the current management plan without this revision (see Alternative 1: No Action). However, the revised management plan would update existing non-regulatory programs, call for new programs to be developed, and include a process to consider future regulatory actions². Taken together, NOAA expects that the strategies and activities included in the draft plan would have some positive environmental effects, both directly and by increasing protection of resources through interagency cooperation in research and management, and by reaching more people and expanding the stewardship message of the sanctuary. The potential environmental consequences of the proposed actions are described in more detail below.

The draft management plan proposes strategies and activities in six action plans, including five specific regulatory actions in the RPAP and VUAP. The draft plan also includes processes to consider future regulatory actions. If additional regulatory actions were initiated, the appropriate NEPA analysis and formal public input would occur at appropriate times in the future. However, the types of activities considered in the action plans are considered for their potential environmental consequences and can be examined in detail in the PEA.

Cumulative Effects Analysis and Conclusion

The programmatic environmental assessment (PEA) analyzes the anticipated administrative and programmatic activities associated with the proposed action (Alternative 2) to revise the FGBNMS management plan and take regulatory actions. Administrative activities conducted within existing facilities, such as consultations, outreach, administrative frameworks, development of plans and guidelines, and data analysis would have little to no potential to significantly affect the quality of the human environment according to NEPA standards. Activities to manage the sanctuary as proposed in the draft management plan, considered together with the many natural and human-induced stressors to sanctuary resources, generally result in a cumulative beneficial impact to these resources. However, as with the administrative activities, the positive impacts do not meet the NEPA threshold for significance. This is because at a programmatic level, no single activity, when taken in

² If additional regulatory actions were initiated, the appropriate NEPA analysis and formal public input would occur at appropriate times in the future.

consideration with others, would have significant beneficial or negative impacts on any individual or combined resource.

It is important to note that natural and human-induced stressors may somewhat lower the beneficial effects of implementing the proposed action. Such stressors include, for example: impacts of climate change, such as increased water temperatures and ocean acidification; major natural disasters, such as hurricanes; and major anthropogenic damage, such as oil spills and overfishing. However, the outcome of these external stressors is not expected to be altered significantly by the implementation of the proposed action. Therefore, cumulative impacts of this action are not considered significant under the NEPA.

To the extent that future activities considered under any of the action plans (which range from infrastructure construction, management measures to implement sanctuary expansion or establishment of an experimental closure to evaluate the impacts of diving and fishing) are conducted in the human environment, a NEPA review to analyze the impacts of alternatives would be conducted.

Therefore, it is anticipated that the PEA on the draft management plan for FGBNMS would result in a Finding of No Significant Impact. Accordingly, no environmental impact statement was prepared for the purposes of approving the draft management plan. This does not preclude NOAA from analyzing specific activities (as described in the Environmental Consequences section above) under NEPA and analyzing the potential for significant effects of an action and its alternatives in a future environmental assessment or environmental impact statement, as necessary.